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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 * * *

6 Baluma S.A. d/b/a Enjoy Punta Del Este
7 & Casino,

8 Plaintiff,

9 v.

10 Brian Poff II,

11 Defendant.

Case No. 2:20-cv-01642-JCM-DJA

Order

12 Before the Court is Messner Reeves LLP's motion to withdraw as counsel of record for
13 Defendant Brian Poff. (ECF No. 21). The Court finds these matters properly resolved without a
14 hearing. LR 78-1. Pursuant to Local Rule IA 11-6(b), "[i]f an attorney seeks to withdraw after
15 appearing in a case, the attorney must file a motion or stipulation and serve it on the affected
16 client and opposing counsel." Here, all affected parties, including Defendant, have been made
17 aware of the motion, and Defendant's counsel has assured the Court that the withdrawal will not
18 result in delay. However, Defendant's counsel inconsistently refers to Defendant as both
19 Defendant and Plaintiff in their motion. The Court reminds Defendant's counsel that they should
20 carefully review future filings to avoid potentially confusing discrepancies.

21 **IT IS THEREFORE ORDERED** that Defendant's counsel's motion to withdraw (ECF
22 No. 21) is **granted**.

23 **IT IS FURTHER ORDERED** that Defendant Brian Poff shall have thirty days, until
24 **Monday, December 20, 2021**, to advise the Court if he will retain new counsel or proceed *pro se*.
25 Failure to notify the Court as to Defendant's new representation may subject him to dispositive
26 sanctions, including a recommendation for dismissal of this action.

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1 **IT IS FURTHER ORDERED** that the Clerk of Court shall add the last known address of
2 Brian Poff to the civil docket and send a copy of this order to his last known address:

3
4 Brian Poff II

5 7360 Lake Drive

6 Fort Myers, FL 33908

7 diddipop@hotmail.com

8
9 DATED: November 18, 2021



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE